



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	4/3/2007	AGENDA REQUEST NO:	V A
INITIATED BY:	LISA KOCICH-MEYER SENIOR PLANNER <i>LM</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	LISA KOCICH-MEYER SENIOR PLANNER	DEPARTMENT HEAD:	SABINE SOMERS-KUENZEL, AICP DIRECTOR OF PLANNING <i>AK</i>
		ADDITIONAL DEPARTMENT HEAD (S):	N/A

SUBJECT / PROCEEDING:	PERMANENT ZONING FROM INTERIM STANDARD SINGLE-FAMILY RESIDENTIAL TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT FOR TELFAIR SECTION SEVENTEEN PUBLIC HEARING, FIRST READING OF ORDINANCE NO. 1608
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EXHIBITS:	VICINITY MAP, TELFAIR GENERAL PLAN, ORDINANCE NO. 1608, APPLICATION AND CORRESPONDENCE, PUBLIC HEARING NOTICE
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CLEARANCES	APPROVAL
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LEGAL:	MEREDITH WILGANOWSKI, <i>MW</i> ASSISTANT CITY ATTORNEY	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>Jim Callaway</i> COMMUNITY DEVELOPMENT
PURCHASING:	N/A	ASST. CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>

BUDGET

EXPENDITURE REQUIRED: \$	N/A
AMOUNT BUDGETED/REALLOCATION: \$	N/A
ADDITIONAL APPROPRIATION: \$	N/A

RECOMMENDED ACTION

The Planning and Zoning Commission unanimously recommended approval of permanent R-1 zoning for Telfair Section Seventeen.

EXECUTIVE SUMMARY

This is a request to permanently zone the Telfair Section Seventeen area, consisting of 52.873 acres, from interim Standard Single-Family Residential (R-1) to permanent Standard Single-Family Residential (R-1). The property is located west of Ditch H, north of Telfair Section 16 and northeast of Telfair Section 11. The Telfair property was annexed by the City under Ordinance No. 1431 on April 6, 2004 and was officially incorporated into the City on July 1, 2004. At that time interim R-1 zoning was applied to the 52.873 acres. Approval of this permanent zoning will place the property under the requirements of the standard City of Sugar Land R-1 district and all regulations contained therein. This request is in conformance with the Telfair General Plan (Amendment No. 3), which was approved December 19, 2006 and is not in conflict with the City of Sugar Land Comprehensive Plan.

This rezoning request, if approved by City Council, would require this property to comply with all R-1 (Standard Single-Family Residential) regulations as contained in Chapter 2 of the City of Sugar Land Development Code. The total number of permanently zoned R-1 acres in Telfair to date is approximately 291 acres. If this zoning request were approved for Section 17, the total R-1 zoning acreage would be approximately 344. The acreage with the R-1 zoning district option-only remaining is approximately 153 acres. In addition, there are currently permanent R-1 zoning requests in process for various other sections of Telfair totaling approximately 151 acres. Of these pending requests, Section 18 is scheduled for a Public Hearing on the April 3, 2007 City Council agenda.

The Planning and Zoning Commission held a Public Hearing on this item at the February 13, 2007 meeting and took action on the request at the February 22, 2007 meeting. No one spoke at the hearing, and the Commission unanimously recommended approval of the permanent R-1 zoning request to Council. This item requires a Public Hearing at Council prior to any action.

File No. 7431

CC: Keith Behrens, Newland Communities kbehrens@newlandcommunities.com

EXHIBITS

DETAILED INFORMATION

GENERAL SITE INFORMATION AND ANALYSIS:

COMPREHENSIVE PLAN COMPLIANCE	This proposal is not in conflict with the City of Sugar Land Comprehensive Plan.
COMPLIANCE WITH GENERAL PLAN	Telfair General Plan Amendment No. 3 indicates R-1 zoning for this area
SUBJECT PROPERTY	Interim Standard Single Family Residential (R-1)
SURROUNDING PROPERTY	North: Interim Standard Single-Family Residential (R-1) South: Standard Single-Family Residential (R-1) East: Ditch H and Standard Single Family Residential (R-1) and Business Office (B-O across Ditch H West: Standard Single-Family Residential (R-1) and Interim Standard Single-Family Residential with Permanent Standard Single-Family (R-1) pending Council approval (Section 18)
SURROUNDING USES	North: Undeveloped South: Single-family currently under development East: Across Ditch H, Single-family residential and public uses West: Single-Family residential currently (Section 11 model homes) and undeveloped

On November 16, 2004, City Council adopted the revised Land Use Plan portion of the City's Comprehensive Plan under Ordinance No. 1468. The Land Use Plan serves as a guide for recommendations of permanent zoning for annexed properties and rezoning of existing properties within the City. The 52.873 acres of Telfair Section 17 were intended for single-family residential development when the developer petitioned the City for annexation. This proposed land use is in accordance with the City's Land Use Plan, and the Telfair General Plan Amendment No. 3 (approved December 19, 2006).

If approved, the total amount of R-1 zoning in place in Telfair will be approximately 344 acres located in Telfair Sections 1, 2, 4, 5, 6, 7, 11, 12, 16, and 17. There is approximately 304 acres remaining within the Telfair community that has the option of future R-1 zoning including the acreage for the permanent zoning request for Section 18 also on the April 3, 2007 agenda for Public Hearing at City Council.

PUBLIC HEARING:

Notice of the Public Hearing was published in a newspaper of general circulation as required by state law. All property owners and potentially affected interests within 200 feet of the proposed site, consisting only of Newland Communities, LJA Engineers, Fort Bend County LID #2, Fort Bend County Drainage District, and Lennar Homes of Texas in this case, were notified. Notice of the Public Hearing was posted on the City of Sugar Land's Internet home page. At the time of writing this report there has been one informational inquiry and no opposition.

Cc: Jason Kelly, P.E., LJA Engineering & Surveying, Inc.

Fax: (713) 953-5026

jkelly@LJAengineering.com

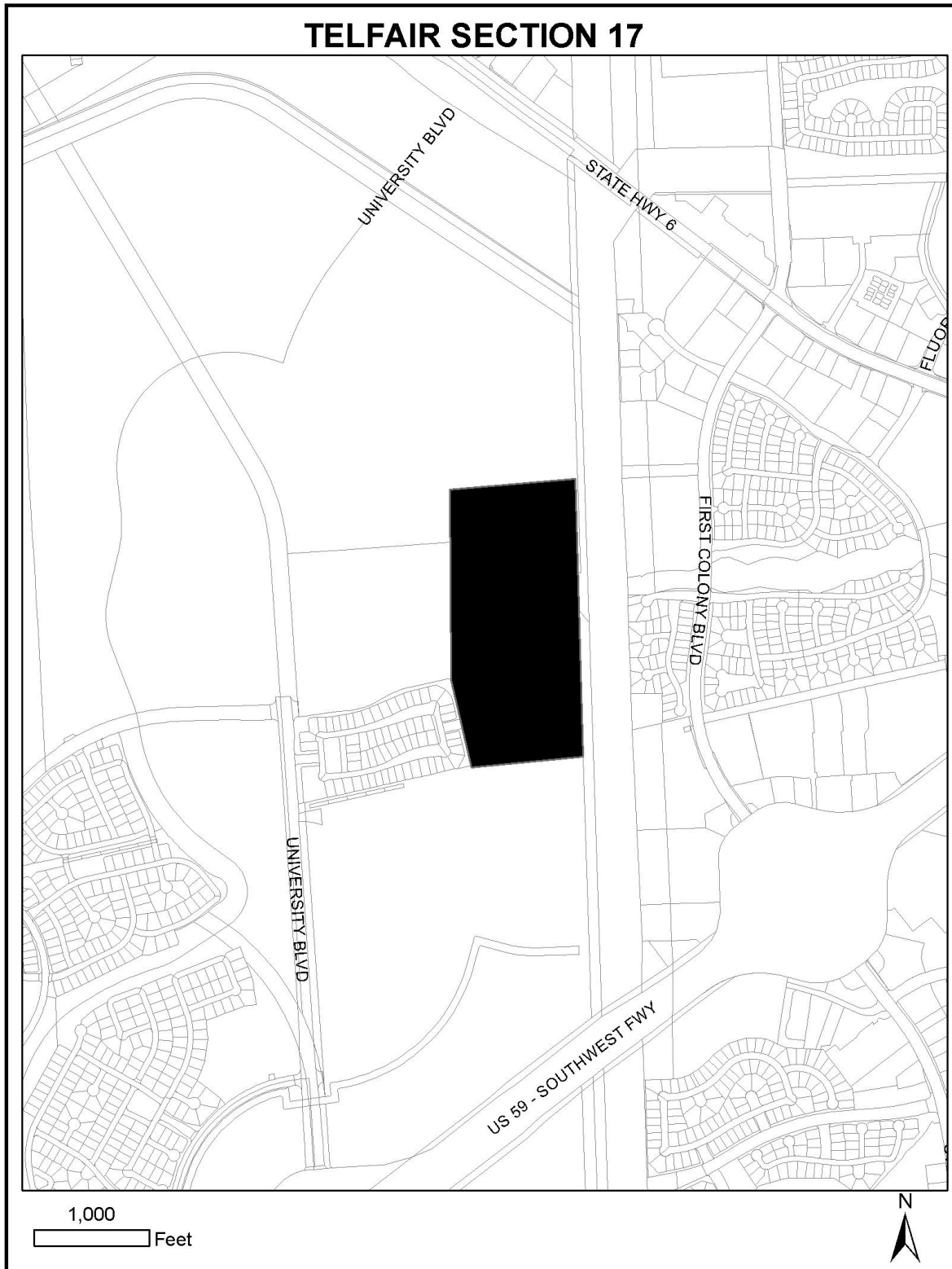
Keith Behrens, P.E., Newland Communities

Fax: (713) 575-9001

kbehrens@newlandcommunities.com

File No. P0007431

Vicinity Map:



[illegible]

TELFAR
LAND USE PLAN / AMENDMENT 3
OWNER: NEWLAND COMMUNITIES
10235 W. LITTLE YORK, SUITE 260
HOUSTON, TEXAS 77040

DESIGN FIRM: TRG PARTNERS
LAND BANNERS / LANDSCAPE ARCHITECTS
901 S. MOPEC EXPRESSWAY
Bldg 2, SUITE 350
AUSTIN, TX 78746

Original Date: July 30, 2003
Revised Date: Nov. 09, 2006
This document is owner's record.



Section 17

100

1) The Fire Station Site may be relocated to an approved location between Newland Communities and the City of Sugar Land without a New General Plan revision.

2) 99.13 - will be permanently zoned R-1 or a future Amendment to the Ordinance PD.

3) Development will comply with subdivision requirements.

ORDINANCE NO. 1608

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PERMANENTLY ZONING THE 52.873 ACRES OF LAND LOCATED NORTH OF U.S. HIGHWAY 59 AND EAST OF UNIVERSITY BOULEVARD IN THE TELFAIR DEVELOPMENT AS ZONING DISTRICT R-1, STANDARD SINGLE-FAMILY RESIDENTIAL DISTRICT.

WHEREAS, NNP-Telfair, L.P. has requested that the 52.873 acres of land located north of U.S. Highway 59 and east of University Boulevard in the Telfair Development be permanently zoned as Zoning District R-1, Standard Single-Family Residential District, as described in Exhibit A; and

WHEREAS, the City Council has held a public hearing on the proposed permanent zoning for which notice was given as required by law; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That the 52.873 acres of land described in Exhibit A, attached to and incorporated into this ordinance by reference, is permanently zoned as Zoning District R-1, Standard Single-Family Residential District.

Section 2. That the City's official zoning map is amended to show the permanent zoning district classification.

READ IN FULL on first consideration on _____, 2007.

APPROVED upon second consideration on _____, 2007.

David G. Wallace, Mayor

ATTEST:

Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:

Meredith Wilganski

Attachment: Exhibit A – Metes and Bounds Description

Metes and Bounds: Exhibit A

RECEIVED

DEC 18 2006

PLANNING

December 15, 2006
Job No. 1800-2017A-310

DESCRIPTION OF
52.873 ACRES
TELFAIR SECTION 17

Being 52.873 acres of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record in File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record in File No. 2006007940, F.B.C.O.P.R., said 52.873 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at the southeast corner of Telfair Section 11, a subdivision of record in Plat No. 20060070, Plat Records, of said Fort Bend County, same being on a northerly line of that certain utility easement (called 80 feet wide) of record in File No. 2004131587, F.B.C.O.P.R., from which the southwest corner of said Telfair Section 11 bears South 77° 21' 33" West, 1536.56 feet;

Thence, with the northerly line of said utility easement, North 77° 21' 33" East, 80.00 feet to the POINT OF BEGINNING;

Thence, leaving said northerly line, North 12° 38' 27" West, 948.29 feet to a point for corner, the beginning of a curve;

Thence, 447.95 feet along the arc of a tangent curve to the right, having a radius of 2960.00 feet, a central angle of 08° 40' 15" and a chord which bears North 08° 18' 20" West, 447.53 feet to a point for corner;

Thence, North 03° 58' 12" West, 761.87 feet to a point for corner, the beginning of a curve;

Metes and Bounds:

52.873 acres

December 15, 2006
Job No. 1800-2017A-310

Thence, 100.47 feet along the arc of a tangent curve to the left, having a radius of 1040.00 feet, a central angle of $05^{\circ} 32' 07''$ and a chord which bears North $06^{\circ} 44' 15''$ West, 100.43 feet to a point for corner, the beginning of a reverse curve;

Thence, 36.07 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $82^{\circ} 39' 55''$ and a chord which bears North $31^{\circ} 49' 39''$ East, 33.02 feet to a point for corner, the beginning of a reverse curve;

Thence, 99.93 feet along the arc of a tangent curve to the left, having a radius of 2050.00 feet, a central angle of $02^{\circ} 47' 35''$ and a chord which bears North $71^{\circ} 45' 49''$ East, 99.92 feet to a point for corner;

Thence, North $70^{\circ} 22' 02''$ East, 154.77 feet to a point for corner, the beginning of a curve;

Thence, 609.97 feet along the arc of a tangent curve to the right, having a radius of 1950.00 feet, a central angle of $17^{\circ} 55' 21''$ and a chord which bears North $79^{\circ} 19' 42''$ East, 607.49 feet to a point for corner;

Thence, North $88^{\circ} 17' 23''$ East, 210.20 feet to a point for corner;

Thence, with a line 180 feet west of and parallel to the east line of the aforementioned 1651.239 acre tract, South $01^{\circ} 50' 41''$ East, 746.11 feet to a point for corner;

Thence, leaving said parallel line, South $88^{\circ} 09' 19''$ West, 30.00 feet to a point for corner;

Thence, with a line 210 feet west of and parallel to the east line of said 1651.239 acre tract, South $01^{\circ} 50' 41''$ East, at 1538.96 feet pass the northerly line of the aforementioned utility easement and continuing in all a total distance of 1620.41 feet to a point for corner on the southerly line of said utility easement;

Metes and Bounds:

52.873 acres

December 15, 2006
Job No. 1800-2017A-310

Thence, with said southerly line, South $77^{\circ} 21' 33''$ West, 775.98 feet to a point for corner;

Thence, leaving said southerly line, North $12^{\circ} 38' 27''$ West, 80.00 feet to the POINT OF BEGINNING and containing 52.873 acres of land.

LJA Engineering & Surveying, Inc.

Application:



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DEC 18 2006

**CURRENT PLANNING DIVISION
CONDITIONAL USE PERMIT OR REZONING APPLICATION**

PLANNING

Please type or print the following information & Return your submittal to the Development Services Department (Current Planning Division), 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Gretchen Pyle

Applicant

Contact LJA Engineering & Surveying, Inc. Attention: Jason M. Kelly, P.E.
Address 2929 Briarpark Drive, Suite 600, Houston, TX 77042
Phone (713) 953-5064 **Fax** (713) 953-5026
Email jkelly@ljaengineering.com

Owner

Contact NNP-Telfair, LP Attention: Keith Behrens, P.E.
Address 10235 West Little York, Suite 300, Houston, TX 77040
Phone (713) 575-9000 **Fax** (713) 575-9001
Email kbehrens@newlandcommunities.com

Property Legal Description _____ **See Attached** X

Lot _____ **Block** _____ **Subdivision** Telfair Section 17

Current Zoning District Temporary R-1 **Proposed Zoning District, if applicable** R-1

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) _____

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. **This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.**

X

Signature of Applicant

12/14/06
Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in MUC District
- ☒ Metes and bounds of the site and county slide number of plat, if recorded
- ☒ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☐ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

Applicant Correspondence:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026
www.ljaengineering.com

RECEIVED

DEC 18 2006

PLANNING

December 18, 2006

Ms. Gretchen Pyle
Development Review Coordinator
City of Sugar Land
2700 Town Center Blvd. North, Ste. 259
Sugar Land, TX 77479

Re: Rezoning Application
Telfair Section 17
Fort Bend County MUD No. 138
City of Sugar Land
Fort Bend County, Texas
LJA Job No. 1800-2017A (6.1)

Dear Ms. Pyle:

This letter is to request rezoning of Telfair Section 17 within the Telfair Development from Temporary R-1 to R-1.

NNP – Telfair, LP is the current owner of all the property within the requested Rezone area. NNP-Telfair, LP, Fort Bend County Drainage District, Fort Bend County Levee Improvement District No. 2, and Fort Bend County Levee Improvement District No. 17 are the owners of all property within 200-feet around the requested Rezone.

Owners

NNP – Telfair, LP
10235 West Little York, Suite 300
Houston, Texas 77040
Phone 713.575.9000

Fort Bend County Drainage District
1004 Blume Road
Rosenberg, Texas 77471
Phone 281.342.2863

Fort Bend County Levee Improvement District No. 2
c/o David Oliver
Allen Boone Humphries Robinson LLP
Phoenix Tower
3200 Southwest Freeway, Ste. 2600
Houston, Texas 77027
Phone 713.860.6465

Fort Bend County Drainage District No. 17
c/o Lynne Humphries
Allen Boone Humphries Robinson LLP
Phoenix Tower
3200 Southwest Freeway, Ste. 2600
Houston, Texas 77027
Phone 713.860.6465

Applicant

LJA Engineering & Surveying, Inc.
2929 Briarpark Drive, Suite 600
Houston, Texas 77042
Phone 713.953.5200

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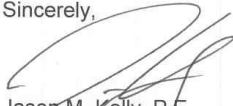


Applicant Correspondence (Page 2):

Ms. Gretchen Pyle
December 18, 2006
Page 2

Should you have any questions, please contact me at 713.953.5064.

Sincerely,



Jason M. Kelly, P.E.
Project Manager

JMK/rca

Copy: Mr. Keith Behrens, P.E., NNP – Telfair, LP

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NOTICE OF PUBLIC HEARING

REQUEST FOR PERMANENT ZONING OF APPROXIMATELY 52.873 ACRES KNOWN AS TELFAIR SECTION SEVENTEEN, LOCATED WITHIN TELFAIR DEVELOPMENT (TRACT 4), DIRECTLY WEST OF DITCH H, NORTH OF TELFAIR SECTION 16 AND NORTHEAST OF TELFAIR SECTION 11, TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT.

PROPOSED PERMANENT ZONING OF APPROXIMATELY 52.873 ACRES OF LAND FROM INTERIM R-1 ZONING DISTRICT TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT BEING 52.873 ACRES OF LAND LOCATED IN THE ALEXANDER HODGE LEAGUE, ABSTRACT 32, FORT BEND COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF CALLED 1651.239 ACRE TRACT CONVEYED TO NNP-KEEPSAKE, L.P., BY INSTRUMENT OF RECORD IN FILE NO. 2003149525, OFFICIAL PUBLIC RECORDS, OF FORT BEND COUNTY (F.B.C.O.P.R.), NOW KNOWN AS NNP-TELFAR LP, BY INSTRUMENT OF RECORD IN FILE NO. 2006007940, AND AS SHOWN ON THE ATTACHED MAP.

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed Permanent Zoning shall be given an opportunity to be heard.

WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS

WHEN: CITY OF SUGAR LAND
CITY COUNCIL MEETING
6:00 P.M., APRIL 3, 2007

DETAILS OF THE PROPOSED PERMANENT ZONING REQUEST MAY BE OBTAINED FROM THE PLANNING OFFICE, CITY HALL, CITY OF SUGAR LAND, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS, MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M. OR YOU MAY CALL (281) 275-2218 FOR ADDITIONAL INFORMATION.